

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 18-41 are pending in the present application and Claims 18, 19, 23, 24, 28, 29, 38 and 39 are amended. Support for the foregoing amendments can be found in the claims as originally filed. Thus, no new matter is added.

In the outstanding Office Action, Claims 19, 24, 29 and 34 are rejected under 35 U.S.C. §112, second paragraph, as indefinite; Claims 18, 19, 22-24, 27-29, 32-34 and 37-41 are rejected under 35 U.S.C. §102(e) as anticipated by Murasawa et al. (U.S. Pat. No. 6,760,594, herein “Murasawa”); and Claims 20, 21, 25, 26, 30, 31, 35 and 36 are rejected under 35 U.S.C. §103(a) as unpatentable over Murasawa in view of Leppisaari et al. (U.S. Pat. No. 6,532,227, herein “Leppisaari”).

Initially, applicant and applicant’s representative wish to thank Examiner Nguyen for the interview granted applicant’s representative on February 1, 2006. During that interview the outstanding rejections were discussed in detail. Further, during that interview claim amendments were discussed to clarify the claims. The present response sets forth the discussed claim amendments. During the interview applicant’s representative also pointed out distinctions between the claims and the applied art. Accordingly the Examiners indicated they would further consider such claim amendments and differences when formally presented in a filed response.

In respect to the rejection of Claims 19, 24, 29 and 34 under 35 U.S.C. §112, second paragraph as indefinite, Claims 19, 24, 29 and 34 have been amended to recite “the first admission threshold is higher than the second admission threshold”. Accordingly, Applicants respectfully request the rejection under §112, second paragraph, be withdrawn.

Before turning to the outstanding prior art rejections, it is believed that a brief review of the present invention would be helpful.

In this regard, the present invention describes a call admission control method in a communications system configured to support calls of a plurality of services having mutually different degrees of priority. In a non-limiting example, shown in Figure 3, the method includes receiving a cellular call having a service type A and acquiring a use condition X of the cellular tower resource. The use condition X is then compared with a threshold value Xa and a threshold value Xb, producing an output comparison result for both Xa and Xb. Then based on the service type A, received above, the comparison result stemming from threshold value Xa is selected and the cellular call is admitted or not admitted based on the comparison result of Xa.

Turning now to the §102(e) rejection in the outstanding Office Action, Applicants respectfully traverse the §102(e) rejection based on Murasawa for the following reasons.

Claim 1 recites, in part,

receiving a call having a service type;
comparing a measured resource use condition with a first and a second admission threshold value so as to obtain a first and a second comparison result;
selecting one of the first and second obtained comparison results on the basis of the service type of the call; and
admitting or not admitting the call on the basis of the selected comparison result.

Independent Claims 23, 28, 33, 38 and 39 recite similar features.

As discussed in the interview, Murasawa describes a method of connection for a wireless call in a wireless communication system. Further, Murasawa describes a method in which when a call attempt is made, the current resource call number (m) is compared against a first threshold value (Th.I). If the call number (m) is less than the first threshold value (Th.I), then the call is connected (S22). In contrast, if the call number (m) is greater than the first threshold value (Th.I) then the call is checked to see if the call is a priority call (S24). If

the call does not include a priority request, the call is terminated; however, if the call is a priority call then the call number is compared against a second threshold (Th. III) (S26). If the call number is smaller than the threshold (Th.III) the call connects, if the call number is greater than the threshold (Th.III) the call is placed on standby.

In contrast, the method described in Claim 1 recites a selecting step in which one of the first and second obtained comparison results is selected on the basis of the service type of the call. Murasawa does not describe this feature. Further, the selecting step of Claim 1 would not even be compatible with the method of Murasawa which compares a call number against a second threshold (S26) only after comparing a call number against a first threshold (S22). Since the second comparison (S26) is not performed unless a “yes” result is obtained from the first comparison (S22), there can be no selecting of one of the first and second obtained comparison results on the basis of the service type of the call in Murasawa, as only one result is available at a time.

Thus, Applicant respectfully submits that Claim 1 and similarly independent Claims 23, 28, 33, 38 and 39 patentably distinguish over Murasawa.

Moreover, with respect to the further dependent Claims 20, 21, 25, 26, 30, 31, 35 and 36, in light of the above discussion, Applicant respectfully submits that those claims also distinguish over the applied art, particularly as none of these further cited teachings to Leppisaari are believed to overcome the above-noted deficiencies of Murasawa.

Additionally, as Applicants have not substantively amended the claims in response to any rejection of record, should a further rejection be applied in the next Action based upon newly cited prior art, Applicants submit that such an action cannot properly be considered a Final Office Action.

Consequently, in light of the above discussion and in view of the present amendment, the application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

I:\ATTY\JL\218810US\218810US_AM.DOC

Scott A. McKeehan
Registration No. 42,886